September 10, 2012

Marlene H. Dortch Secretary Federal Communications Commission 445 12th Street, S.W. Washington, DC 20554

Re:

Notice of Ex Parte Presentation

Tribune Company, Debtor-in-Possession

MB Docket No. 10-104

Dear Ms. Dortch:

Tribune Company, Debtor-in-Possession ("Tribune") is submitting this letter to apprise the Commission of developments before the United States Court of Appeals for the Third Circuit (the "Third Circuit") bearing on the applications being processed under the above-referenced docket (the "Exit Applications") for Tribune and its debtor-in-possession subsidiaries (collectively, the "Tribune Debtors") to emerge from Chapter 11 bankruptcy as reorganized entities.

By letter dated August 23, 2012, Tribune informed the Commission that the Bankruptcy Court had issued an order on August 22 (the "August 22 Order") relating to the plan of reorganization which that Court recently confirmed for Tribune and its subsidiaries (the "DCL Plan"). In the August 22 Order, the Bankruptcy Court (i) denied all requests for certification of issues for direct appeal to the United States Court of Appeals to the Third Circuit; (ii) denied all requests for a stay of the effectiveness of the confirmation of the DCL Plan pending appeal without the posting of a bond; and (iii) granted a request for a stay conditioned upon the movants' posting cash or a bond in the amount of \$1.5 Billion (\$1,500,000,000) by the close of business on August 29, 2012, and so certifying to the Bankruptcy Court.

By letter dated August 28, 2012, Tribune informed the Commission that, on August 27, 2012, the United States District Court for the District of Delaware issued an Order (the "District Court Order") that denied the "Emergency Motion" of Aurelius Capital Management, LP ("Aurelius"), an objector to the DCL Plan that challenged the

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Bankruptcy Court's August 22 order. The *District Court Order* (1) denied Aurelius's request to extend the stay of the Bankruptcy Court's confirmation order pending a hearing on the Emergency Motion; (2) refused to modify the provisions of the *August 22 Order* requiring the posting of cash or a bond in the amount of \$1.5 Billion to extend the existing stay beyond August 29; and (3) denied Aurelius's motion for an order expediting appeal.

By order dated September 10, 2012, the Third Circuit dismissed for lack of jurisdiction Aurelius's appeal of the *District Court Order*. *See Order*, Case No. 12-3437, Document No. 003111011733 (Third Circuit, filed September 10, 2012) (the "*Third Circuit Order*"). By the same order, the Court dismissed as moot Aurelius's related emergency motion for stay of the Bankruptcy Court's bond order.

Tribune intends to provide further updates to the Commission. Pursuant to Section 1.1206(b)(2) of the Commission's rules, 47 C.F.R. §1.1206(b)(2), a copy of this notice is being filed electronically.

Please inform the undersigned if you should have any questions regarding this status report.

Sincerely,

John R. Feore, Jr.

Counsel for Tribune Company,

Debtor-in-Possession

Attachment cc with attachments (via email):

Barbara Kreisman David Roberts Adrienne Denysyk

Counsel to Petitioners (per attached list)

Best Copy and Printing, Inc.

Copies to Counsel to Petitioners

Copies of the foregoing letter are being sent via email to counsel of record for parties filing petitions to deny, as follows:

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Case: 12-3437 Document: 003111011708 Page: 1 Date Filed: 09/10/2012

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT September 5, 2012 DCO-137-E

No. 12-3437

IN RE: TRIBUNE COMPANY

AURELIUS CAPITAL MANAGEMENT, Appellant

(D. Del. No. 1-12-cv-01072)

Present: AMBRO, JORDAN and VANASKIE, Circuit Judges

- 1. Emergency Motion by Appellant for Stay of Bond Order and For Issuance of a Temporary Administrative Stay Pending Full Consideration and Disposition of this Stay Motion;
- 2. Response in Opposition by Appellee to Motion for Stay of Bond Order and For Issuance of a Temporary Administrative Stay Pending Full Consideration and Disposition of this Stay Motion;
- 3. Clerk's Submission for Possible Dismissal Due to Jurisdictional Defect;
- 4. Reply by Appellant to Appellees' Response to Motion for Stay of Bond Order and For Issuance of a Temporary Administrative Stay Pending Full Consideration and Disposition of this Stay Motion;
- 5. Sur-Reply by Appellees including a Suggestion that the Court Strike Appellant's Reply to Appellees' Response to Motion for Stay of Bond Order and for Issuance of a Temporary Administrative Stay Pending Full Consideration and Disposition of this Stay Motion.

Respectfully, Clerk/mlr

ORDER

Appellant Aurelius Capital Management, L.P. seeks review of the District Court's order August 27, 2012 order denying the request to modify the Bankruptcy Court order granting a stay of the confirmation plan pending the posting of a \$1.5 billion bond and

denying a request to extend the stay without the posting of a bond. This order is not final or otherwise appealable as an injunction pursuant to 12 U.S.C. 1292(a)(1). See 28 U.S.C. § 158(d)(1); In re: Trans World Airlines, Inc., 18 F.3d 208, 213-16 (3d Cir. 1994); see also Habitat Educ. Center v. U.S. Forest Serv., 607 F.3d 453, 456 (7th Cir. 2010) (citing cases). Accordingly, the appeal is dismissed for lack of jurisdiction. Appellant's emergency motion for stay of the bond order is dismissed as moot. The motion to strike Appellant's Reply is denied.

By the Court,

<u>s/ Thomas I. Vanaskie</u> Circuit Judge

Dated: September 10, 2012 DWB/cc:

William P. Bowden, Esq.
Leigh-Anne M. Raport, Esq.
Amanda M. Winfree, Esq.
Norman L. Pernick, Esq.
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